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January 26, 2004

Mr. Richard J. Oparil, Esq.  
PATTON BOGGS  
2550 M Street NW  
Washington, D.C. 20037

VIA FACSIMILE  
(202) 457-6315

Re: Deposition Subpoena of Peter J. Babos

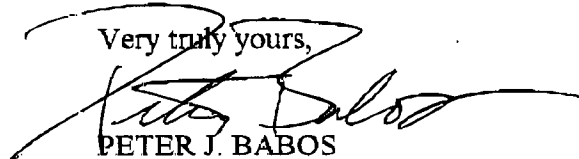
Dear Mr. Oparil:

In response to your Deposition Subpoena scheduling my deposition for January 30, 2004, please be advised of the following objections:

- 1) I do not recognize you or your firm having the proper legal authority to represent A.B.B. Sanitec West, Inc. or Sanitec, Ltd. Accordingly, your efforts at any legal proceedings, process, or any other action is deemed invalid;
- 2) Any and all inquiries in the deposition subpoena, including the request to produce certain documents, are protected by either the work-product or attorney client privileges; and
- 3) It is my understanding that you have failed to meet and confer with Mr. Steven J. Miller in advance of the deposition subpoena, and that both Mr. Miller and Mr. Mike Weinsten are also unavailable on that date. I also have my own calendar conflicts. It would have been reasonable for you to check with our schedules in advance.

For all the foregoing reasons, I will not be attending the deposition you have unilaterally and improperly scheduled for January 30<sup>th</sup>.

Very truly yours,



PETER J. BABOS

pjb:ec

cc: Mr. Steven J. Miller, Esq.  
Mr. Michael E. Weinsten, Esq.